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Attorney for Plaintiff
EVELINE HENRIETTE ROSENBERRY

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

EVELINE HENRIETTE ROSENBERRY,

Plaintiff,

v.

THE CBE GROUP, INC., an Iowa
corporation,

Defendant.

Case No. C07-05165-JW-PVT

**STIPULATION OF DISMISSAL
WITH PREJUDICE AND
[PROPOSED] ORDER**

Fed. R. Civ. P. 41(a)(1)

Pursuant to Fed. R. Civ. P. 41(a)(1), Plaintiff, EVELINE HENRIETTE ROSENBERRY, and Defendant, THE CBE GROUP, INC., stipulate, and the Court hereby orders, as follows:

1. The dispute between the parties has been settled, therefore, the claims asserted by Plaintiff, EVELINE HENRIETTE ROSENBERRY, against Defendant, THE CBE GROUP, INC., in the above-captioned proceeding are hereby dismissed, with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1).

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1 Dated: April 18, 2008

/s/ Fred W. Schwinn
Fred W. Schwinn, Esq.
Attorney for Plaintiff
EVELINE HENRIETTE
ROSENBERRY

4 Dated: April 18, 2008

/s/ J. Mark Thacker
J. Mark Thacker
Attorney for Defendant
THE CBE GROUP, INC.

8 THE FOREGOING STIPULATION
9 IS APPROVED AND IS SO ORDERED.

10 Dated: _____

The Honorable James Ware
Judge of the District Court